UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.105
12 January 1994

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Fifth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 105th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 10 January 1994, at 10.30 a.m.

Chairperson: Mrs. BADRAN

CONTENTS

Opening of the session

Statement by the Assistant Secretary-General for Human Rights

Adoption of the agenda

* The summary record of the second part (closed) of the meeting appears as document CRC/C/SR.105/Add.1

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.94-15101 (E)

The meeting was called to order at 10.45 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the fifth session of the Committee on the Rights of the Child.

STATEMENT BY THE ASSISTANT SECRETARY-GENERAL FOR HUMAN RIGHTS

2. Mr. FALL (Assistant Secretary-General for Human Rights) welcomed the members of the Committee on the Rights of the Child to the fifth session and reaffirmed his concern about the respect for the dignity and fundamental rights of children throughout the world. The 1993 World Conference on Human Rights had set the universal ratification of the Convention on the Rights of the Child by 1995 as a major goal. That goal could be achieved, as 154 States had ratified the Convention by 20 December 1993. In his report on the work of the Organization (A/48/1), the Secretary-General had once again emphasized the link between development, human rights and democracy and had dealt in detail with the results of the World Conference on Human Rights, stressing the priority which should be attached to human rights in the activities of the United Nations.

3. The Centre for Human Rights had prepared a programme of activities for the implementation of the Vienna Declaration and Programme of Action, including a section on the promotion of the rights of the child. There were three aspects of the follow-up to the World Conference which related specifically to the rights of the child: the strengthening of the Centre's coordination capacity, the cooperation with the United Nations Children's Fund (UNICEF), and the universal ratification of the Convention on the Rights of the Child.

4. On the first aspect, two measures directly affected the Committee's work. The first was the establishment of a focal point attached to the Centre to coordinate activities relating to children throughout the United Nations system. The Centre was appealing to UNICEF and the other agencies concerned to help the focal point to make an effective contribution to the work which the World Conference had entrusted to the United Nations system. The second measure was to strengthen the Committee's secretariat by appointing an additional professional staff member to enable it to perform its tasks more effectively. The Secretary-General had also given a favourable reception to the Committee's request for a special session.

5. With regard to the second and third aspects, the Centre was discussing with UNICEF the creation of a legal framework and the implementation of joint activities, aimed immediately at the universal ratification of the Convention on the Rights of the Child and its application, including enhancement of the Committee's work and assistance to States in harmonizing their national legislation with the Convention and preparing their reports to the Committee.

6. The Executive Director of UNICEF, who was to address the Committee at the present session, had confirmed his determination to continue to support the Committee's work. The Committee itself should present concrete

recommendations for the strengthening of the relations between the Centre and UNICEF and for a joint strategy to achieve the universal ratification of the Convention.

7. Important developments had taken place in human rights since the Committee's fourth session. In particular, the General Assembly had decided to create the post of United Nations High Commissioner for Human Rights, with responsibility for all United Nations human rights activities, including the overall supervision of the Centre for Human Rights.

8. Referring to the action taken by the General Assembly at its forty-eighth session on child issues, he drew attention to resolution 48/157 on the protection of children in armed conflicts in which it noted the Committee's report on its third session and its recommendations concerning such children. The General Assembly had requested the Secretary-General to appoint an expert to undertake a comprehensive study of the question. In resolution 48/156, the General Assembly had expressed its support for the work of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and had requested the Commission to consider setting up a working group to elaborate guidelines for a draft convention on those issues. In resolution 48/136, on street children, the General Assembly had reiterated its invitation to the Committee on the Rights of the Child to consider making a general comment on street children and had recommended that it should bear the problem in mind when examining reports from States parties.

9. In resolution 48/119, the General Assembly had also invited the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to identify specific needs of States parties and had encouraged them to consider further innovations in their working methods, aiming in particular at the prevention of serious human rights violations and at the promotion of peaceful solutions. In that connection, in November 1993 the Committee on the Elimination of Racial Discrimination had sent a good offices mission to the Federal Republic of Yugoslavia (Serbia and Montenegro) to seek the solution of issues of respect for human rights in Kosovo. It had also sent one of its members to Croatia on a technical assistance mission.

10. Turning to the recent activities of some of the other treaty bodies, he said that at its forty-ninth session the Human Rights Committee had begun consideration of a draft general comment on article 27 of the International Covenant on Civil and Political Rights, concerning minorities, and had taken decisions relating to the follow-up of its comments by States. It had agreed that when a report by a State party revealed a grave human rights violation the Secretary-General would be requested to inform the competent United Nations organs. At its eleventh session the Committee against Torture had decided to include an account of its inquiry concerning Turkey in its annual report. At its ninth session the Committee on Economic, Social and Cultural Rights had devoted one day to a general discussion on the right to health and had also discussed the possibility of preparing a draft optional protocol to permit the submission of communications by individuals alleging that their rights under the International Covenant on Economic, Social and Cultural Rights had been violated.

11. In conclusion, he wished the Committee success in its work and reaffirmed the readiness of the Centre to give it every assistance.

12. The CHAIRPERSON thanked the Assistant Secretary-General for Human Rights for his assurance of support and for the information which he had given about new developments. The Committee would certainly discuss relations with UNICEF and the question of children in armed conflicts. The Committee had noted the content of the letters addressed to it by the Assistant Secretary-General and the various resolutions relating to its work. She invited the members of the Committee to respond to the statement by the Assistant Secretary-General for Human Rights.

13. Mgr. BAMBAREN GASTELUMENDI welcomed the fact that the term of office of the members of the Committee who had completed two years of service had been renewed for a further four years. It would have been difficult for the Committee to work with five completely new members. The renewal also amounted to a vote of confidence in the Committee by the Secretariat and by the General Assembly. The Committee's informal regional meetings had been particularly useful as a means of enriching the members' experience and promoting the Convention by putting its message across to Governments and to the communications media.

14. Mrs. SANTOS PAIS said that she was sure that the Committee would continue to work with determination to achieve what was still a distant ideal. The Committee's non-conformism must remain its watchword, for it signified a determination to improve the situation of children throughout the world. All United Nations bodies must in fact endeavour to work closer together to ensure a better future for children. The Committee's work should be given greater prominence at sessions of the Commission on Human Rights so that all States, particularly the ones which were not parties to the Convention on the Rights of the Child, were made aware of the Committee's open and constructive approach.

15. Mr. HAMMARBERG said that the current level of cooperation with the Secretariat was entirely satisfactory; however, the importance of cooperation with the United Nations agencies should not be overlooked. A meeting with representatives concerned was scheduled for the afternoon of that day, as a result of which it was hoped to develop a more structured type of cooperation that would prove mutually beneficial. He welcomed the talks held between the Assistant Secretary-General for Human Rights and the heads of some of the agencies and recommended a similar initiative with regard to the International Labour Organisation (ILO) and the World Health Organization (WHO).

16. In the light of the resolutions adopted by the forty-eighth session of the General Assembly, he looked forward to improvements in information processing by the Secretariat that would lead ultimately to the computerization of all operations and earlier availability of summary records, which were crucial for follow-up by the countries concerned. On the whole, he was satisfied with the cooperation under way with the Centre for Human Rights and hoped for further improvements in the coming year.

17. Mrs. SARDENBERG, referring to the importance of coordination, recalled that as a result of the process launched by the World Summit for Children held

in 1990, many countries were already implementing their national plans of action. She would welcome some form of interface with the Committee regarding such activities and the possibility of taking up such matters during the examination of States parties' reports. Furthermore, she welcomed the news of additional support for the Committee particularly in view of its heavy work schedule. The Committee must seek new and swifter working methods and strengthen its coordination with other agencies, in particular UNICEF, so as not to lose momentum in its work.

18. The CHAIRPERSON said that the attendance of representatives of the International Monetary Fund (IMF) and the World Bank would also be welcome. Their input on poverty and structural adjustment was vital to the Committee in view of the projects they had launched in many countries in that connection.

19. Mr. FALL (Assistant Secretary-General for Human Rights), responding to the comments and questions, agreed on the importance of attendance by IMF and the World Bank. Many delegates at the World Conference on Human Rights had raised the question of better coordination among the United Nations agencies; moreover, in the light of the recommendations issued by the Conference, the Secretary-General of the United Nations had recently decided that human rights matters should be placed permanently on the agenda of the Administrative Committee on Coordination (ACC). Furthermore, an interagency coordinator had also been appointed to the Centre for Human Rights with a view to developing guidelines for improving interagency coordination. Following talks with the Director General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Executive Director of UNICEF, he had met with the Administrator of the United Nations Development Programme (UNDP) and the Director General of WHO, all of whom had responded favourably to his initiative. Similar meetings were scheduled with the Director General of ILO as well as the United Nations High Commissioner for Refugees (UNHCR).

20. As to interface between the Committee and UNICEF in connection with national plans of action, the Executive Director of UNICEF would take up the matter during his address to the Committee on the final day of its session; he was committed to improving coordination in that area and had pledged his continuing support for the Committee's regional meetings. In line with the Vienna Declaration and Programme of Action, every effort should be made to ensure that such meetings focused on two crucial issues, namely the implementation and universal ratification of the Convention on the Rights of the Child.

21. He agreed on the importance of strengthening coordination with the non-governmental organizations (NGOs). The Centre for Human Rights had taken steps to that end by requesting a focal point for NGOs. Although adequate resources had so far not been allocated by the General Assembly he would do his utmost to provide a focal point in the Centre.

22. With regard to the computerization of operations and information processing, he pointed out that several requests had already been made for funding from the regular budget for the computerization of the Centre since

current resources would not meet the costs of the enormous task of computerizing the work of the different treaty bodies. However, the computerization of the work of the Committee was under way thanks to a contribution from Japan.

23. He agreed on the importance of the Committee's non-conformism which had frequently been cited as a model to be emulated during the World Conference on Human Rights. The type of dialogue established by the Committee on the Elimination of Racial Discrimination with Croatia and with Serbia and Montenegro should be encouraged.

24. Replying to Mgr. Bambaren Gastelumendi's comments, he said that continuity in the Committee's work would be secured by the General Assembly's decision on the membership of the Committee. He pledged the Centre's continued and increasing support which was all the more necessary as the workload of the Committee became heavier on account of the growing number of ratifications.

ADOPTION OF THE AGENDA (agenda item 1) (CRC/C/21)

25. The CHAIRPERSON drew attention to the provisional agenda and annotations contained in document CRC/C/21 to which some amendment might be necessary in view of the additional documentation now available. It would be advisable for the Committee to assimilate that information before discussing its programme of work.

26. Mrs. SANTOS PAIS said that it was important to outline the programme of work, which might also need to be amended to take account of additional documentation provided, during the public meeting, for the benefit of the representatives of the agencies and bodies concerned.

27. Mr. HAMMARBERG considered that the programme of work rather than the provisional agenda would need to be modified. However, the key issue was how best to use the meeting time available that had not been set aside for the discussion of States parties' reports. For instance, further discussion on the situation in the Former Republic of Yugoslavia and follow-up action might be useful. As to the States parties' reports, it was intended that draft concluding observations on one report should be completed before beginning work on those of another country. Since the draft text should be available by the afternoon on the day after the consideration of the report in question, the morning session could be set aside for discussion of a different report. He hoped that that general pattern would be followed throughout the session.

28. The CHAIRPERSON informed the Committee that the Government of France had requested that discussion of its report should be deferred. The tentative timetable for the consideration of reports should be amended accordingly.

29. Mrs. SARDENBERG suggested that after the provisional agenda and annotations had been adopted, the meeting should be adjourned to allow members

to assimilate the additional information provided by the Secretariat and further discussion of the programme of work should then take place in a closed meeting.

30. The CHAIRPERSON said that if there was no objection, she would take it that the Committee wished to follow the course of action suggested by Mrs. Sardenberg.

31. It was so decided.

32. The provisional agenda and annotations (CRC/C/21), as amended, were adopted.

The public meeting rose at 11.40 a.m.